

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against: )

HASNI KARMALI, M.D. )

Case No. 06-2008-195544

Physician's and Surgeon's )  
Certificate No. A-97692 )

Respondent. )  
\_\_\_\_\_ )

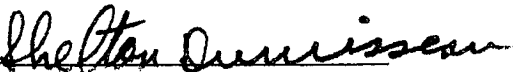
**DECISION**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on December 3, 2010.

IT IS SO ORDERED November 3, 2010.

**MEDICAL BOARD OF CALIFORNIA**

By:   
Shelton Duruisseau, Ph.D., Chair  
Panel A

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 MARGARET PHE  
Deputy Attorney General  
3 State Bar No. 207205  
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4 Los Angeles, CA 90013  
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*Attorneys for Complainant*

6  
7 **BEFORE THE**  
8 **MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 HASNI KARMALI, M.D.

13 8500 Wilshire Boulevard, Suite 1020  
14 Beverly Hills, California 90211

15 Physician's and Surgeon's License No. A97692,  
16 Respondent.

Case No: 06-2008-195544

OAH No. 2009090293

17 **STIPULATED SETTLEMENT AND**  
18 **DISCIPLINARY ORDER**

19 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
20 interest and the responsibility of the Medical Board of California (Board), the parties hereby  
21 agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to  
22 the Board for approval and adoption as the final disposition of the Accusation.

23 PARTIES

24 1. Linda K. Whitney (Complainant) is the Executive Director of the Board. She brought  
25 this action solely in her official capacity and is represented in this matter by Edmund G. Brown  
26 Jr., Attorney General of the State of California, by Margaret Phe, Deputy Attorney General.

27 2. Respondent Hasni Karmali, M.D. (Respondent) is represented in this proceeding by  
28 attorney Theodore A. Cohen, whose address is

Theodore A. Cohen, Esq.  
Law Offices of Theodore A. Cohen

2141 Rosecrans Avenue, Suite 1130  
El Segundo, CA 90245

3. On or about October 13, 2006, the Board issued Physician's and Surgeon's License No. A 97692 to Respondent. The Physician's and Surgeon's License was in full force and effect at all times relevant to the charges brought in Accusation No. 06-2008-195544 and expired on November 30, 2009.

#### JURISDICTION

4. Accusation No. 06-2008-195544 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on September 24, 2009. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 06-2008-195544 is attached as exhibit A and incorporated herein by reference.

#### ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 06-2008-195544. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

#### CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation

No. 06-2008-195544.

9. Respondent agrees that his Physician's and Surgeon's License is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

#### CONTINGENCY

10. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

11. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

#### DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's License No. A 97692 issued to Respondent Hasni Karmali, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

1. CONTROLLED SUBSTANCES - ABSTAIN FROM USE Respondent shall abstain completely from the personal use or possession of controlled substances as defined in the California Uniform Controlled Substances Act, dangerous drugs as defined by Business and Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide illness or condition.

Within 15 calendar days of receiving any lawful prescription medications, Respondent shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone number; medication name and strength; and issuing pharmacy name, address, and telephone number.

2. ALCOHOL - ABSTAIN FROM USE Respondent shall abstain completely from the use of products or beverages containing alcohol.

3. BIOLOGICAL FLUID TESTING Respondent shall immediately submit to

1 biological fluid testing, at Respondent's expense, upon the request of the Board or its designee. A  
2 certified copy of any laboratory test results may be received in evidence in any proceedings  
3 between the Board and the Respondent. Failure to submit to, or failure to complete the required  
4 biological fluid testing, is a violation of probation.

5 4. PSYCHIATRIC EVALUATION Within 30 calendar days of the effective date of  
6 this Decision, and on whatever periodic basis thereafter may be required by the Board or its  
7 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological  
8 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall  
9 consider any information provided by the Board or designee and any other information the  
10 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its  
11 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not  
12 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all  
13 psychiatric evaluations and psychological testing.

14 Respondent shall comply with all restrictions or conditions recommended by the evaluating  
15 psychiatrist within 15 calendar days after being notified by the Board or its designee. Failure to  
16 undergo and complete a psychiatric evaluation and psychological testing, or comply with the  
17 required additional conditions or restrictions, is a violation of probation.

18 5. MEDICAL EVALUATION AND TREATMENT Within 30 calendar days of the  
19 effective date of this Decision, and on a periodic basis thereafter as may be required by the Board  
20 or its designee, Respondent shall undergo a medical evaluation by a Board-appointed physician  
21 who shall consider any information provided by the Board or designee, and any other information  
22 the evaluating physician deems relevant, and shall furnish a medical report to the Board or its  
23 designee.

24 Following the evaluation, Respondent shall comply with all restrictions or conditions  
25 recommended by the evaluating physician within 15 calendar days after being notified by the  
26 Board or its designee.

27 If Respondent is required by the Board or its designee to undergo medical treatment,  
28 Respondent shall, within 30 calendar days of the requirement notice, submit to the Board or its

1 designee for prior approval the name and qualifications of a treating physician of Respondent's  
2 choice. Upon approval of the treating physician, Respondent shall within 15 calendar days  
3 undertake medical treatment and shall continue such treatment until further notice from the Board  
4 or its designee.

5 The treating physician shall consider any information provided by the Board or its designee  
6 or any other information the treating physician may deem pertinent prior to commencement of  
7 treatment. Respondent shall have the treating physician submit quarterly reports to the Board or  
8 its designee indicating whether or not the Respondent is capable of practicing medicine safely.  
9 Respondent shall provide the Board or its designee with any and all medical records pertaining to  
10 treatment that the Board or its designee deems necessary.

11 If, prior to the completion of probation, Respondent is found to be physically incapable of  
12 resuming the practice of medicine without restrictions, the Board shall retain continuing  
13 jurisdiction over Respondent's license, and the period of probation shall be extended until the  
14 Board determines that Respondent is physically capable of resuming the practice of medicine  
15 without restrictions. Respondent shall pay the cost of the medical evaluation(s) and treatment.

16 Failure to undergo and continue medical treatment or comply with the required additional  
17 conditions or restrictions is a violation of probation.

18 6. MONITORING - PRACTICE Within 30 calendar days of the effective date of this  
19 Decision, Respondent shall submit to the Board or its designee for prior approval as a practice  
20 monitor, the name and qualifications of one or more licensed physicians and surgeons whose  
21 licenses are valid and in good standing, and who are preferably American Board of Medical  
22 Specialties (ABMS) certified. A monitor shall have no prior or current business or personal  
23 relationship with Respondent, or other relationship that could reasonably be expected to  
24 compromise the ability of the monitor to render fair and unbiased reports to the Board, including,  
25 but not limited to, any form of bartering, shall be in Respondent's field of practice, and must  
26 agree to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

27 The Board or its designee shall provide the approved monitor with copies of the Decision  
28 and Accusation, and a proposed monitoring plan. Within 15 calendar days of receipt of the

1 Decision, Accusation, and proposed monitoring plan, the monitor shall submit a signed statement  
2 that the monitor has read the Decision and Accusation, fully understands the role of a monitor,  
3 and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with the  
4 proposed monitoring plan, the monitor shall submit a revised monitoring plan with the signed  
5 statement.

6 Within 60 calendar days of the effective date of this Decision, and continuing throughout  
7 probation, Respondent's practice shall be monitored by the approved monitor. Respondent shall  
8 make all records available for immediate inspection and copying on the premises by the monitor  
9 at all times during business hours, and shall retain the records for the entire term of probation.

10 The monitor shall submit a quarterly written report to the Board or its designee which  
11 includes an evaluation of Respondent's performance, indicating whether Respondent's practices  
12 are within the standards of practice of medicine or billing, or both, and whether Respondent is  
13 practicing medicine safely, billing appropriately or both.

14 It shall be the sole responsibility of Respondent to ensure that the monitor submits the  
15 quarterly written reports to the Board or its designee within 10 calendar days after the end of the  
16 preceding quarter.

17 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of  
18 such resignation or unavailability, submit to the Board or its designee, for prior approval, the  
19 name and qualifications of a replacement monitor who will be assuming that responsibility within  
20 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60 days  
21 of the resignation or unavailability of the monitor, Respondent shall be suspended from the  
22 practice of medicine until a replacement monitor is approved and prepared to assume immediate  
23 monitoring responsibility. Respondent shall cease the practice of medicine within 3 calendar  
24 days after being so notified by the Board or designee.

25 In lieu of a monitor, Respondent may participate in a professional enhancement program  
26 equivalent to the one offered by the Physician Assessment and Clinical Education Program at the  
27 University of California, San Diego School of Medicine, that includes, at minimum, quarterly  
28 chart review, semi-annual practice assessment, and semi-annual review of professional growth

1 and education. Respondent shall participate in the professional enhancement program at  
2 Respondent's expense during the term of probation.

3 Failure to maintain all records, or to make all appropriate records available for immediate  
4 inspection and copying on the premises, or to comply with this condition as outlined above is a  
5 violation of probation.

6 7. NOTIFICATION Prior to engaging in the practice of medicine, the Respondent shall  
7 provide a true copy of the Decision and Accusation to the Chief of Staff or the Chief Executive  
8 Officer at every hospital where privileges or membership are extended to Respondent, at any  
9 other facility where Respondent engages in the practice of medicine, including all physician and  
10 locum tenens registries or other similar agencies, and to the Chief Executive Officer at every  
11 insurance carrier which extends malpractice insurance coverage to Respondent. Respondent  
12 shall submit proof of compliance to the Board or its designee within 15 calendar days.

13 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

14 8. SUPERVISION OF PHYSICIAN ASSISTANTS During probation, Respondent is  
15 prohibited from supervising physician assistants.

16 9. OBEY ALL LAWS Respondent shall obey all federal, state and local laws, all rules  
17 governing the practice of medicine in California, and remain in full compliance with any court  
18 ordered criminal probation, payments and other orders.

19 10. QUARTERLY DECLARATIONS Respondent shall submit quarterly declarations  
20 under penalty of perjury on forms provided by the Board, stating whether there has been  
21 compliance with all the conditions of probation. Respondent shall submit quarterly declarations  
22 not later than 10 calendar days after the end of the preceding quarter.

23 11. PROBATION UNIT COMPLIANCE Respondent shall comply with the Board's  
24 probation unit. Respondent shall, at all times, keep the Board informed of Respondent's business  
25 and residence addresses. Changes of such addresses shall be immediately communicated in  
26 writing to the Board or its designee. Under no circumstances shall a post office box serve as an  
27 address of record, except as allowed by Business and Professions Code section 2021, subdivision  
28 (b).



Respondent shall not engage in the practice of medicine in Respondent's place of residence.  
Respondent shall maintain a current and renewed California physician's and surgeon's license.

Respondent shall immediately inform the Board, or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than 30 calendar days.

12. INTERVIEW WITH THE BOARD, OR ITS DESIGNEE Respondent shall be available in person for interviews either at Respondent's place of business or at the probation unit office, with the Board or its designee, upon request at various intervals, and either with or without prior notice throughout the term of probation.

13. RESIDING OR PRACTICING OUT-OF-STATE In the event Respondent should leave the State of California to reside or to practice, Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return. Non-practice is defined as any period of time exceeding 30 calendar days in which Respondent is not engaging in any activities defined in Sections 2051 and 2052 of the Business and Professions Code.

All time spent in an intensive training program outside the State of California which has been approved by the Board or its designee shall be considered as time spent in the practice of medicine within the State. A Board-ordered suspension of practice shall not be considered as a period of non-practice. Periods of temporary or permanent residence or practice outside California will not apply to the reduction of the probationary term. Periods of temporary or permanent residence or practice outside California will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws and Probation Unit Compliance.

Respondent's license shall be automatically cancelled if Respondent's periods of temporary or permanent residence or practice outside California total two years. However, Respondent's license shall not be cancelled as long as Respondent is residing and practicing medicine in another state of the United States and is on active probation with the medical licensing authority of that state, in which case the two year period shall begin on the date probation is completed or terminated in that state.

1           14.   FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

2           In the event Respondent resides in the State of California and for any reason Respondent  
3 stops practicing medicine in California, Respondent shall notify the Board or its designee in  
4 writing within 30 calendar days prior to the dates of non-practice and return to practice. Any  
5 period of non-practice within California, as defined in this condition, will not apply to the  
6 reduction of the probationary term and does not relieve Respondent of the responsibility to  
7 comply with the terms and conditions of probation. Non-practice is defined as any period of time  
8 exceeding 30 calendar days in which Respondent is not engaging in any activities defined in  
9 sections 2051 and 2052 of the Business and Professions Code.

10          All time spent in an intensive training program which has been approved by the Board or its  
11 designee shall be considered time spent in the practice of medicine. For purposes of this  
12 condition, non-practice due to a Board-ordered suspension or in compliance with any other  
13 condition of probation, shall not be considered a period of non-practice.

14          Respondent's license shall be automatically cancelled if Respondent resides in California  
15 and for a total of two years, fails to engage in California in any of the activities described in  
16 Business and Professions Code sections 2051 and 2052.

17          15.   COMPLETION OF PROBATION Respondent shall comply with all financial  
18 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the  
19 completion of probation. Upon successful completion of probation, Respondent's certificate shall  
20 be fully restored.

21          16.   VIOLATION OF PROBATION Failure to fully comply with any term or condition  
22 of probation is a violation of probation. If Respondent violates probation in any respect, the  
23 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and  
24 carry out the disciplinary order that was stayed. If an Accusation, Petition to Revoke Probation,  
25 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have  
26 continuing jurisdiction until the matter is final, and the period of probation shall be extended until  
27 the matter is final.

28          17.   LICENSE SURRENDER Following the effective date of this Decision, if


Respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request the voluntary surrender of Respondent's license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation and the surrender of Respondent's license shall be deemed disciplinary action. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

18. PROBATION MONITORING COSTS Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which are currently set at \$3,173.00, but may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year. Failure to pay costs within 30 calendar days of the due date is a violation of probation.

#### ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Theodore A. Cohen. I understand the stipulation and the effect it will have on my Physician's and Surgeon's License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

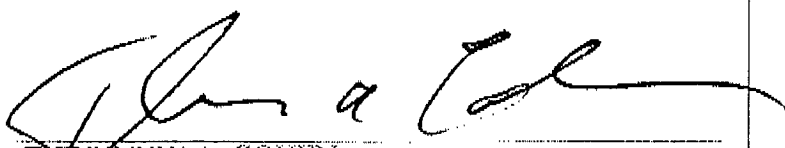
DATED: 9/10/10

  
HASHMI KARMALI, M.D.  
Respondent

1 I have read and fully discussed with Respondent Hasni Karmali, M.D. the terms and  
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

3 I approve its form and content.

4  
5 DATED: 9/10/10

  
THEODORE A. COHEN  
Attorney for Respondent


7  
8 ENDORSEMENT

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
10 submitted for consideration by the Medical Board of California.

11 Dated: 9/23/10

12 Respectfully Submitted,

13 EDMUND G. BROWN JR.  
Attorney General of California  
14 TRINA L. SAUNDERS  
Acting Supervising Deputy Attorney General

15   
16 MARGARET PHE  
17 Deputy Attorney General  
18 Attorneys for Complainant  
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28 LA2010501980

**Exhibit A**

**Accusation No. 06-2008-195544**

EDMUND G. BROWN JR.  
Attorney General of California  
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300 So. Spring Street, Suite 1702  
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*Attorneys for Complainant*  
*Barbara Johnston*

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

HASNI KARMALI, M.D.

8500 Wilshire Boulevard, Suite 1020  
Beverly Hills, California 90211

Physician and Surgeon's No. A97692,

Respondent.

Case No. 06-2008-195544

OAH No. 2009090293

ACCUSATION

Complainant alleges:

PARTIES

1. Barbara Johnston (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").

2. On or about October 13, 2006, the Board issued Physician and Surgeon's Number A97692 to Hasni Karmali, M.D. ("Respondent"). The license was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2009, unless renewed.

///

## JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the California Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code states:

“The Division of Medical Quality<sup>1</sup> shall have the responsibility for the following:

“(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

“(b) The administration and hearing of disciplinary actions.

“(c) Carrying out disciplinary actions appropriate to findings made by a medical quality review committee, the division, or an administrative law judge.

“(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

“(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.”

5. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the division, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the division.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the division.

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<sup>1</sup> California Business and Professions Code section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in the State Medical Practice Act (Cal. Bus. & Prof. Code, §§2000, et seq.) means the "Medical Board of California," and references to the "Division of Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

1           “(3) Be placed on probation and be required to pay the costs of probation monitoring  
2 upon order of the division.

3           “(4) Be publicly reprimanded by the division.

4           “(5) Have any other action taken in relation to discipline as part of an order of  
5 probation, as the division or an administrative law judge may deem proper.

6           “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical  
7 review or advisory conferences, professional competency examinations, continuing education  
8 activities, and cost reimbursement associated therewith that are agreed to with the division and  
9 successfully completed by the licensee, or other matters made confidential or privileged by  
10 existing law, is deemed public, and shall be made available to the public by the board pursuant to  
11 Section 803.1.”

12           6.     Section 2234 of the Code provides:

13           “The Division of Medical Quality shall take action against any licensee who is  
14 charged with unprofessional conduct. In addition to other provisions of this article,  
15 unprofessional conduct includes, but is not limited to, the following:

16           “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting  
17 the violation of, or conspiring to violate any provision of this chapter [Chapter 5, the Medical  
18 Practice Act].

19           “... .

20           “... .

21           “... .

22           “(e) The commission of any act involving dishonesty or corruption which is  
23 substantially related to the qualifications, functions, or duties of a physician and surgeon.

24           “... .”

25           7.     Section 2238 of the Code provides:

26           “A violation of any federal statute or federal regulation or any of the statutes or  
27 regulations of this state regulating dangerous drugs or controlled substances constitutes  
28 unprofessional conduct.”



1           8.     Section 2239, subdivision (a), of the Code states:

2           "The use or prescribing for or administering to himself or herself, of any controlled  
3 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic  
4 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to  
5 any other person or to the public, or to the extent that such use impairs the ability of the licensee  
6 to practice medicine safely or more than one misdemeanor or any felony involving the use,  
7 consumption, or self-administration of any of the substances referred to in this section, or any  
8 combination thereof, constitutes unprofessional conduct. The record of the conviction is  
9 conclusive evidence of such unprofessional conduct."

10  
11                                   **CAUSE FOR DISCIPLINE**  
  (Unprofessional Conduct)

12           9.     Respondent is subject to disciplinary action under sections 2234, subdivisions (a) and  
13 (e), 2238, and 2239, subdivision (a), in that he engaged in acts of unprofessional conduct when he  
14 used controlled substances while employed as a physician during working hours at his place of  
15 employment. The facts and circumstances are as follows:

16           A.     On Monday, April 27, 2009, Board Investigators Tracy Tu ("Tu") and Jamie  
17 Sandoval made an unannounced visit to Respondent's place of employment at Beverly Hills  
18 Cosmetic Medical Group located at 8500 Wilshire Boulevard, Suite 1020, in Beverly Hills, and  
19 requested that he submit to a urine test. Respondent complied, and stated that he was not on any  
20 medications. Respondent was well dressed and groomed. He was cooperative and well spoken.  
21 Respondent informed Tu that he was arrested on October 25, 2008, by the LAPD for possession  
22 of 1.8 grams of rock cocaine. He further stated that "it was out of stupidity."

23           B.     During the April 27, 2009 unannounced visit, Respondent also told Tu that he used  
24 cocaine once per week due to stress related work. He had never been arrested before and this was  
25 "a lesson to be learned." Respondent also told Tu that the court ordered him to enroll in a drug  
26 diversion program, and that it was starting that week. He was ordered to return to court in  
27 October 2009.

1 C. On April 30, 2009, Tu received Medtox Laboratories, Inc.'s urine test results for  
2 the specimen collected from Respondent on April 27, 2009, at his place of employment. The  
3 results indicated that Respondent tested positive for cocaine metabolite.

4 D. On May 20, 2009, Tu conducted a subject interview with Respondent at the  
5 Board's Cerritos district office. Respondent graduated from medical school in 2001 and  
6 completed a fellowship in cosmetic surgery in 2007/2008 at Beverly Hills Cosmetic Medical  
7 Group, where he is currently employed. Respondent stated that he did not see or treat patients at  
8 the practice or in the operating room. Respondent is studying for his board certification. He  
9 desired to be board certified before treating patients. He does not have privileges at any hospitals.  
10 For the past two years, Respondent has been doing promotional marketing for Beverly Hills  
11 Cosmetic Medical Group by planning events and networking.

12 E. Also during the interview, Respondent stated that he does not drink alcohol, and  
13 that he is not on prescription medications. He has never undergone psychiatric treatment or  
14 evaluation or been hospitalized.

15 F. Respondent stated that he last used rock cocaine at the end of March 2009 on two  
16 weekends. He was adamant that he did not use any drugs during the month of April 2009. But he  
17 was unable to explain why he tested positive for cocaine metabolite when tested on April 27,  
18 2009.

19 G. On June 2, 2009, Tu spoke with Dr. Fardad Forouzanpour, Medical Director for  
20 Beverly Hills Cosmetic Medical Group, Respondent's employer. Dr. Forouzanpour told Tu that  
21 Respondent completed his fellowship in one year at the office, and has been employed there since  
22 July 2006. Dr. Forouzanpour further told Tu that Respondent was not treating patients because he  
23 did not have medical malpractice insurance. Respondent's duties at the office are limited to  
24 computer work, and he only gets paid when there is work to be done on the computer. Dr.  
25 Forouzanpour also informed Tu that Respondent only watched and observed him treat patients.

26 H. On September 9, 2009, during a hearing on the Petition for an Interim Order of  
27 Suspension brought by Complainant on an ex parte basis, Respondent declared that after moving  
28 to California in 2006, after completing his residency in Massachusetts, he performed a one-year

1 fellowship in Dr. Forouzanpour's office. Following the completion of the fellowship, he  
2 developed a problem with cocaine, and voluntarily ceased seeing patients or performing any  
3 procedures or writing any prescriptions, since he felt that he needed help to deal with the  
4 problem, to recover, and so that he could study for his boards. However, Respondent further  
5 declared that during this time, there were one or two occasions when Dr. Forouzanpour  
6 encountered a situation where his training fellow became unavailable, and requested that  
7 Respondent assist him performing procedures despite both Respondent and Dr. Forouzanpour  
8 being aware of Respondent's problem with cocaine.

9 I. Despite Respondent declaring that he developed a problem with cocaine after  
10 completing his fellowship in 2007, and voluntarily ceasing from seeing patients, Respondent did  
11 not demonstrate any efforts toward rehabilitation until ordered to do so by the Superior Court in  
12 April 2009.

### 13 PRAYER

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
15 and that following the hearing, the Board issue a decision:


16 1. Revoking or suspending Physician and Surgeon's Number A97692, issued To Hasni  
17 Karmali, M.D.

18 2. Revoking or suspending his authority to supervise physician's assistants, pursuant to  
19 section 3527 of the Code;

20 3. Ordering him to pay the Medical Board of California the costs of monitoring  
21 probation if he is placed on probation; and

22 4. Taking such other and further action as deemed necessary and proper.

23  
24  
25 DATED: September 24, 2009

  
BARBARA JOHNSTON  
Executive Director  
Medical Board of California  
State of California  
Complainant

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28 LA2009507758  
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